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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/065,327
Filing Date: October 3, 2002
Appellant(s): HARRIS

Scott C. Harris
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed February 22, 2010 appealing from the Office action mailed October 1, 2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

US 7,167,844

Leong et al.

01-2007

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-18 and 41-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leong et al. (US publication no. 7,167,844).

Re claim 1, Leong teaches a computing device, comprising: a ...housing and processor and display, said display displaying a plurality of different indicators (figs. 3-4), and wherein at least one of said indicators, when selected with a single actuation (col. 108, line 45 to col. 109, line 10), selecting execution of a prestored sequence of actions that interface with a remote internet site (col. 148, lines 35-56) takes some

action on the remote internet site, and returns information from the internet web site (col. 217, lines 16-44).

However, Leong does not explicitly teach handheld. Nevertheless, Leong discloses portable usability (col. 123, lines 4-15). He discloses usability labs, which can be stationery or portable, rely on videotape and screen capture methods to record how users interact with prototype systems. Thus, it would have been obvious to one of ordinary skill in the art to use a portable usability device as a handheld device to record how users interact with prototype systems.

Re claim 2, Leong teaches processor displays said information on said display (fig. 13, element 1312).

Re claims 3 and 45-46, Leong teaches sequence accesses a plurality of different Internet sites, and said information is based on said plurality of Internet sites (figs. 34-35).

Re claim 4, Leong teaches at least one of said indicators includes an area for entry of variable information, and wherein said variable information is sent to said Internet site (figs. 33).

Re claim 5, Leong teaches remote Internet site includes a bank, and said value includes a balance from said bank (fig. 12).

Re claim 6, Leong teaches value includes a plurality of different actions on said web site that can be carried out (figs. 36-37).

Re claims 7 and 44-45, Leong teaches action comprises a sequence of actions that are carried out to navigate through a sequence of actions on said web site and return a specified value (fig. 76).

Re claim 8, Leong teaches plurality of different actions include at least one action that can be selected to carry out said action on said web site (figs. 74-76).

Re claim 9, Leong teaches web site is a web site that enables bids to be placed on items, and said entry of variable information is an area where a bid amount can be input (col. 19, lines 20-40; fig. 72).

Re claim 10, Leong teaches action comprises taking a first action on a first web site, to obtain a first value, and taking a second action on a second web site using said first value to access said second web site (figs. 6-7).

Re claim 11, Leong teaches first action comprises obtaining a first bill amount from said first web site which represents a web site holding bills, and said second action comprises paying the bill amount obtained from the first web site using said second web site, which is a bank's web site (figs. 10-12).

Re claims 12 and 50, Leong teaches action with the remote web site comprises validating a secured transaction (figs. 38-39).

Re claims 13 and 42-43, Leong teaches an indicator with a first state indicating that said validating has occurred within a first specified time and a second state indicating that said validating has not occurred within a specified time (fig. 39).

Re claims 14 and 49, Leong teaches a biometric reader, associated with said validating (figs. 38-39).

Re claims 15 and 47, Leong teaches a memory storing a secret encryption key, and wherein said validating comprises using said secret encryption key (fig. 39).

Re claims 16 and 48, Leong teaches a memory storing a secret encryption key, and wherein said validating comprises using said secret encryption key, and wherein said action comprises sending a message to the remote Internet site, validating said secret encryption key at said remote Internet site, and returning an indication of a valid secret encryption key to take said first state (fig. 39).

Re claims 17 and 51, Leong teaches a handheld housing and wherein said processor and display are housed by said handheld housing (col. 123, lines 4-15).

Re claims 18 and 52, Leong teaches processor and display are battery driven (col. 123, lines 4-15).

Re claim 41, Leong teaches a computer as claimed in claim 1. Therefore the rationale applied in the rejection of claim 1 applies herein.

(10) Response to Argument

Upon a closer examination, Applicant's arguments filed February 22, 2010 have been fully considered but they are not persuasive.

In response to the arguments concerning the previously rejected claims the following comments are made:

A.) Applicant alleges that the prior art made of record fails to teach when selected with a single actuation, selecting execution of a prestored sequence of actions that interface with a remote internet site takes some action on the remote internet site,

and returns information from the internet web site. The examiner disagrees with applicant's representative since Leong discloses when selected with a single actuation (please see col. 108, line 45 to col. 109, line 10), selecting execution of a prestored sequence of actions that interface with a remote internet site (please see col. 148, lines 35-56) takes some action on the remote internet site, and returns information from the internet web site (please see col. 217, lines 16-44). Leong teaches a virtual trade system wherein a user single action is executed by automatically programmed or prestored actions via the internet site. For example, he discloses a compliance check is performed and is triggered automatically in response to the digital signature of the electronic form. The compliance check includes both a check of the combined purchase order proforma invoice against the electronic transportation document and a check of the electronic transportation document against the electronic shipping document. Payment is initiated to the seller only after receiving a verification of credit of the buyer. These are all prestored sequences of actions that the programmed automatically generated for the user.

B.) Applicant alleges that the prior art made of record fails to teach handheld device. The examiner disagrees with applicant's representative since Leong discloses handheld device (col. 123, lines 4-15; col. 117). In other words, Leong discloses portable usability of devices as handheld devices.

C.) Applicant alleges that the prior art made of record fails to teach a single one of said prestored sequences of actions accesses a plurality of different Internet sites, to obtain specified information from each of said plurality of different Internet sites. The

examiner disagrees with applicant's representative since Leong discloses a single one of said prestored sequences of actions accesses a plurality of different Internet sites, to obtain specified information from each of said plurality of different Internet sites (figs. 80, 82, and 76). Leong discloses a single action of the user such as a search term which results in many different websites that a particular user can view.

With regards to the claims rejected as taught by Leong, the examiner would like to point out that the reference teaches the claimed limitations and thus provides adequate support for the claimed limitations. Therefore, the examiner maintains that Leong taught the claimed limitations.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Thu Thao Havan/
Primary Examiner, Art Unit 3695

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